

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

MELVIN JAMES JACKSON,

Petitioner

VS.

JAMIL SABA, SHERIFF,
Dougherty County, GA,

Respondent

NO. 1:06-CV-119 (WLS)

PROCEEDINGS UNDER 28 U.S.C. §2254
BEFORE THE U. S. MAGISTRATE JUDGE

ORDER

Petitioner **MELVIN JAMES JACKSON** has filed an application for writ of habeas corpus under 28 U.S.C. § 2254. He also seeks leave to proceed without prepayment of the \$5.00 filing fee. As it appears that petitioner is unable to pay the cost of commencing this action, petitioner's application to proceed *in forma pauperis* is hereby **GRANTED**.

In his petition, petitioner indicates that he is being held in the Dougherty County Jail. His present confinement and answers to some of the questions on the standard habeas form indicate to this Court that petitioner is a pretrial detainee awaiting trial. Regardless of petitioner's status, it appears he probably has not exhausted his state court remedies as he is required to do under 28 U.S.C. § 2241.

Accordingly, petitioner is directed to supplement his petition to state whether he is still a pretrial detainee awaiting trial or whether he has been tried or pled guilty to the charges he mentions in his petition. Petitioner is further directed to supplement his petition by providing additional information about what state remedies he has pursued. Specifically, petitioner shall advise the court

whether he filed a state writ of habeas corpus under O.C.G.A. § 9-14-1(a) or whether he petitioned the superior court for a writ of mandamus to correct any irregularities in his criminal proceedings under O.C.G.A. § 9-6-20. If petitioner has pursued one or both of these avenues, he should state what the dates and the results of those proceedings were.

Petitioner is hereby given twenty (20) days from receipt of this order to provide the above information. If petitioner fails to respond to this order in a timely manner, this action shall be dismissed. There shall be **no service of process** until further order of the Court.

SO ORDERED, this 23rd day of August, 2006.

/s/ *Richard L. Hodge*
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE